

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: August 16, 2023

SUBJECT: Resolution – Opioid Settlement Fund Expenditure Authorization

PRESENTER: Russ Burrell, County Attorney
Jodi Grabowski, Behavioral Health System Coordinator

ATTACHMENT(S): Yes

1. Budget Amendment
2. Resolution

SUMMARY OF REQUEST:

At the Board’s June 5, 2023 meeting, the Board approved the County Budget for Fiscal Year 23-24. Included in the Adopted Budget is a position for an Adult Recovery Court Coordinator. The Adult Recovery Court Coordinator will create and lead Henderson County’s Adult Recovery Court. Additional expenditures are necessary for this position. These include, but are not limited to, office supplies, training and travel expenses, assessment materials, and computer software and licenses. This request includes the salary and benefits for the remainder of the fiscal year in addition to estimated costs for the additional expenses needed to create the position.

In addition to the Budget Amendment, the Board must also adopt a Resolution per the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation which dictates the process for drawing from the Special Revenue Fund.

BOARD ACTION REQUESTED:

The Board is requested to adopt the Resolution authorizing the expenditure of opioid settlement funds for the salary for the Adult Recovery Court Coordinator and related programmatic expenses as presented.

SUGGESTED MOTION:

I move the Board adopt the Resolution authorizing the expenditure of opioid settlement funds as presented, and the associated Budget Amendment for the Adult Court Coordinator position.

HENDERSON COUNTY



Department: Opioid Settlement Fund/Behavioral Health

Please make the following line-item transfers:

What expense line-item is to be increased?

| Account | Line-Item Description | Amount |
|---------------------------|--------------------------------------|-----------------|
| <u>115517-512100-2070</u> | <u>S&W - REGULAR</u> | <u>\$61,513</u> |
| <u>115517-512700-2070</u> | <u>S&W - CELLPHONE ALLOWANCE</u> | <u>\$1,000</u> |
| <u>115517-513500-2070</u> | <u>401(K) SUPP DEFERRED COMP</u> | <u>\$1,216</u> |
| <u>115517-518000-2070</u> | <u>FICA</u> | <u>\$4,651</u> |
| <u>115517-518100-2070</u> | <u>RETIREMENT - LGERS</u> | <u>\$7,837</u> |
| <u>115517-518300-2070</u> | <u>MEDICAL INSURANCE</u> | <u>\$11,492</u> |
| <u>115517-518400-2070</u> | <u>DENTAL INSURANCE</u> | <u>\$640</u> |
| <u>115517-518600-2070</u> | <u>WORKERS COMPENSATION</u> | <u>\$326</u> |
| <u>515500-526000-2070</u> | <u>DEPT SUPPLIES AND MATERIALS</u> | <u>\$2,400</u> |
| <u>515500-537100-2070</u> | <u>TRAVEL AND STAFF DEV.</u> | <u>\$725</u> |
| <u>515500-526201-2070</u> | <u>NONCAPITAL TECHNOLOGY</u> | <u>\$600</u> |
| <u>515500-539000-2070</u> | <u>CONTRACTED SERVICES</u> | <u>\$41,100</u> |
| <u>515500-526020-2070</u> | <u>DEPT SUPP & EXP - NONEXP.</u> | <u>\$3,500</u> |
| <u>515500-598011</u> | <u>TRANSFER TO GENERAL FUND</u> | <u>\$88,675</u> |

What expense line-item is to be decreased? Or what additional revenue is now expected?

| Account | Line-Item Description | Amount |
|---------------------------|----------------------------------|------------------|
| <u>114517-405100</u> | <u>TRANSFER FROM OPIOID FUND</u> | <u>\$88,675</u> |
| <u>514500-401000-2070</u> | <u>OPIOID FUND BALANCE APP</u> | <u>\$137,000</u> |

Justification Please provide a brief justification for this line-item transfer request.
 TO BUDGET FOR SALARY, BENEFITS AND RELATED EXPENSES FOR CREATION OF THE ADULT COURT COORDINATOR POSITION. BOC APPROVED 8.16.2023.

| | | |
|-------------------------------|------------------|--|
| <u>Budget</u> | <u>8/16/2023</u> | <p style="text-align: center;"><i>For Budget Use Only</i></p> <p>Batch # _____</p> <p>BA # _____</p> <p>Batch Date _____</p> |
| Authorized by Department Head | Date | |
| Authorized by Budget Office | Date | |
| Authorized by County Manager | Date | |

Henderson County Board of Commissioners

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HENDERSON COUNTY NORTH CAROLINA

Before the Board of Commissioners

A RESOLUTION BY THE COUNTY OF HENDERSON TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS

BOARD OF COMMISSIONERS ENACTMENT _____

WHEREAS Henderson County previously joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids, including settlements with drug distributors Cardinal, McKesson, and AmerisourceBergen, and the drug maker Johnson & Johnson and its subsidiary Janssen Pharmaceuticals; and,

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and certain bankruptcy resolutions (“Opioid Settlement Funds”) are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation (“MOA”); and

WHEREAS Henderson County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA; and

WHEREAS section E.6 of the MOA states:

E.6. Process for drawing from special revenue funds.

- a. *Budget item or resolution required.* Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.
- b. *Budget item or resolution details.* The budget or resolution should (i) indicate that it is an authorization for expenditure of opioid settlement funds; (ii) state the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in Exhibit A or Exhibit B to identify each funded strategy, and (iii) state the amount dedicated to each strategy for a stated period of time.

NOW, THEREFORE BE IT RESOLVED, in alignment with the MOA, Henderson County authorizes the expenditure of opioid settlement funds as follows:

1. First strategy authorized
 - a. Name of strategy: Criminal Justice Diversion Programs
 - b. Strategy is included in Exhibit A (Exhibit A, Exhibit B)
 - c. Item letter and/or number in Exhibit A or Exhibit B to the MOA: 10
 - d. Amount authorized for this strategy: not to exceed \$137,000
 - e. Period of time during which expenditure may take place: Start date August 16, 2023 through End date June 30, 2024
 - f. Description of the program, project, or activity: Adult Recovery Court Coordinator's (ARCC) salary, benefits, expenses and equipment. The ARCC will work with the Adult Recovery Court's Interdisciplinary Team to engage in program development, policy writing, and general planning for the Adult Recovery Court. Establishment of this program and support of the position requires expenses that include but are not limited to office equipment, software, training and travel.
 - g. Provider: Henderson County

The total dollar amount of Opioid Settlement Funds at this time appropriated is not to exceed \$137,000.00

Adopted this the 16th day of August, 2023.

REBECCA K. MCCALL, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

DENISSA LAUFFER, CLERK TO THE BOARD

COUNTY SEAL